

09-12-05

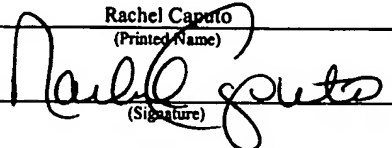
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Atty. Dkt. No. 078743-2003

01789 U.S. PTO  
090905

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Michael Kendall  
**Title:** Device for Suspending a Foot  
within a Shoe and Shoes  
Incorporating such Devices  
**Prior Appl. No.:** 10/634,267  
**Prior Appl.  
Filing Date:** 8/4/2003  
**Examiner:** Patterson, M.  
**Art Unit:** 3728

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<b>EV 727838707 US</b>	<b>9 SEPT 2005</b>
(Express Mail Label Number)	(Date of Deposit)
Rachel Caputo (Printed Name)	
 (Signature)	

**CONTINUING PATENT APPLICATION**  
**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☒ Continuation ☐ Division ☐ Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

☒ Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

09/14/2005 HTECKLU1 00000005 500872 10634267

01 FC:2253 510.00 DA

- ☒ Description, Claims, and Abstract (32 pages).
- ☒ Formal drawings (5 sheets, Figures 1-13).
- ☒ Preliminary Amendment (7 pages).
- ☒ Copy of Declaration and Power of Attorney filed in Parent Patent Application No. 10/634,267, filed 8/4/2003 (3 pages).
- ☒ Application Data Sheet (37 CFR 1.76) (3 pages).

The filing fee is calculated below:

	Number Filed	Included in Basic Fee	Extra	Rate	Fee Totals
Basic Filing Fee				\$300.00 =	\$300.00
Search Fee				\$500.00	\$500.00
Examination Fee				\$200.00	\$200.00
Size Fee	37	- 100	= 0 x	\$250.00	\$0.00
Total	1	- 20	= 0 x	\$50.00 =	\$0.00
Claims:					
Independents	1	- 3	= 0 x	\$200.00 =	\$0.00
If any Multiple Dependent Claim(s) present:			+	\$360.00 =	\$0.00
Surcharge under 37 CFR 1.16(e) for late payment of filing fee			+	\$130.00 =	\$0.00
				SUBTOTAL: =	\$1000.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):				=	-500.000
				TOTAL FILING FEE: =	\$500.00
Assignment Recordation Fee:			+	\$40.00 =	\$0.00
Processing Fee under 37 CFR 1.17(i) for Late Filing of English Translation of Application:			+	\$130.00 =	\$0.00
TOTAL FEE				=	\$500.00

- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$120.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00		\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00		\$1,020.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$1,020.00
EXTENSION FEE ALREADY PAID: -				\$0.00
EXTENSION FEE TOTAL				\$1,020.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$510.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
<b>TOTAL</b>				
<b>INCLUDING FILING FEE AND EXTENSION OF TIME:</b>				<b>\$1,010.00</b>

- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$1,010.00 to cover the filing and extension fees. A duplicate of this transmittal is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date September 9, 2005

By 

FOLEY & LARDNER, LLP

Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

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